

In the United States Court of Federal Claims

Nos. 13-608C and 13-672C
(Filed: March 19, 2020)

BRYNDON FISHER et al., *
*
Plaintiffs, *
*
v. *
*
THE UNITED STATES, *
*
Defendant. *

ORDER

The court conducted a status conference on March 5, 2020, during which the parties discussed the implications for their case of the court's December 6, 2019 opinion on defendant's motion to dismiss in Fairholme Funds, Inc. v. United States, 13-465C ("Fairholme Opinion"). During that status conference, defendant suggested that it believed that its motion to dismiss the instant case should be denied based on the reasoning set forth in the Fairholme Opinion (even if defendant does not agree necessarily with the reasoning in the Fairholme Opinion). The court requests that defendant file a status report, by **no later than March 26, 2020**, stating whether it stipulates that its motion to dismiss should be denied based on the reasoning in the Fairholme Opinion.¹ If defendant makes such a stipulation, the court will issue a ruling accordingly and stay further proceedings in this case pending the resolution of any interlocutory appeals flowing from the Fairholme Opinion.

IT IS SO ORDERED.

s/ Margaret M. Sweeney
MARGARET M. SWEENEY
Chief Judge

¹ The court will not construe such a stipulation as defendant conceding or waiving any arguments with respect to the propriety of the Fairholme Opinion.